



**A RESOLUTION OF THE BAYLOR COUNTY COMMISSIONERS COURT CALLING
FOR ENHANCED REGULATION OF DATA CENTERS IN THE STATE OF TEXAS**

WHEREAS, Baylor County supports responsible economic development and recognizes that advanced technology infrastructure, including data centers and artificial intelligence facilities, will play a key role in Texas' future economy; and

WHEREAS, hyperscale computing facilities can require extraordinary levels of electric generation and transmission capacity, and rapid load growth, without adequate planning, could place additional strain on the ERCOT grid and local transmission infrastructure; and

WHEREAS, certain data center cooling technologies can require significant volumes of water, and local communities deserve transparency about projected water demand and its potential impact on regional water supplies; and

WHEREAS, large-scale industrial development with significant power or water demands may substantially affect local infrastructure, emergency services, and long-term land-use planning; and

WHEREAS, suburban and rural counties often lack the regulatory tools available to municipalities, despite being increasingly targeted for large-scale industrial and energy infrastructure development; and

WHEREAS, the pace of data center construction has exponentially increased across the United States and within the State of Texas, driven by increasing demand for digital infrastructure, data aggregation, artificial intelligence, cryptocurrency mining and related transaction settlement processes, and cloud computing services; and

WHEREAS, data centers constitute critical infrastructure underpinning modern commerce, healthcare, education, communications, financial systems, artificial intelligence, development, cloud computing, cybersecurity operations, and national defense capabilities; and

WHEREAS, the continued development of advanced data infrastructures is an essential component of Texas' and the United States' economic competitiveness and national security posture in an increasingly global technological competition, and the State of Texas has emerged as a national leader in attracting data center investment due to its business-friendly climate and energy resources; and

WHEREAS, responsible long-term planning is necessary to ensure that critical infrastructure growth occurs in a manner that protects grid reliability, water sustainability, fiscal integrity, and the quality of life of existing residents; and

WHEREAS, local concerns have emerged across Texas regarding the potential adverse impacts of large-scale data center developments on surrounding communities, the environment, public health, consumer utility costs, land use compatibility, and strain on local infrastructure and resources; and

WHEREAS, large-scale data center facilities may operate continuously and may create adverse noise and light impacts on surrounding rural residences, agricultural operations, wildlife habitat, night skies, and the traditional quiet enjoyment of rural property if not appropriately sited, designed, screened, and mitigated; and

WHEREAS, residents living near large-scale data center facilities may be affected by continuous noise, light pollution, backup power generation, increased traffic, air emissions, emergency response demands, and other operational impacts, and the potential public health and quality-of-life effects of such facilities should be studied and disclosed before projects are approved; and

WHEREAS, large-scale data center developments may require substantial land conversion, including the clearing or repurposing of agricultural lands, rangelands, and open spaces that support local food production, rural economies, wildlife habitats, and natural drainage patterns, and without appropriate siting, mitigation, and conservation planning, such development could result in fragmentation of habitat, loss of prime farmland, increased stormwater runoff, and long-term impacts to native species and ecological systems; and

WHEREAS, the State of Texas electrical grid, managed by the Electric Reliability Council of Texas (ERCOT), is experiencing rapidly increasing demand for electricity; and

WHEREAS, projection data indicate that without expanded generation capacity, transmission infrastructure, and reliability safeguards, Texas could face substantial shortfalls in electricity generation and grid reliability over the coming decade, increasing the risk of service interruptions and higher energy costs for residential, agricultural, and commercial consumers; and

WHEREAS, rapid increases in large, continuous-load electricity demand attributable to hyperscale and similar data center facilities raise important reliability planning considerations, particularly during peak summer demand and extreme weather events; and

WHEREAS, Texas faces recurring drought conditions and ongoing water supply challenges in many regions of the state, impacting municipal, agricultural, and industrial water users; and

WHEREAS, certain data center cooling technologies, including open-loop evaporative systems, may require substantial volumes of potable water, and cumulative regional demand associated with multiple facilities could materially affect local water availability, particularly in drought-prone areas; and

WHEREAS, current state-level regulatory frameworks provide limited uniform requirements for transparent reporting of projected electricity demand and water consumption associated with proposed data center facilities; and

WHEREAS, counties bear primary financial responsibility for the maintenance and repair of county roads, drainage systems, and certain emergency response infrastructure, yet possess limited statutory authority to require proportionate cost participation from certain large-scale developments impacting such infrastructure;

WHEREAS, counties have limited statutory authority over electrical generation regulation and grid oversight, yet bear responsibility for protecting public health, safety, infrastructure integrity, and natural resources within their jurisdiction;

WHEREAS, under current Texas law, counties lack general zoning authority and are not granted broad land-use regulatory powers comparable to those of municipalities, thereby limiting the ability of counties to regulate the location, density, and operational characteristics of large-scale developments such as data centers within unincorporated areas;

WHEREAS, Governor Greg Abbott recently called for prohibiting the building of AI data centers in rural Texas neighborhoods and Baylor County is a rural county;

WHEREAS, Baylor County, Texas contains environmentally sensitive lands that provide habitat for endangered and threatened species, including eight documented species within the county-among them two federally recognized endangered species, the Sharpnose Shiner and the Smalleye Shiner-and the industrial-scale data center development would further threaten these species through habitat disruption, displacement, increased water consumption, and long-term water shortages; and

WHEREAS, data center development would cause significant harm to Baylor County's natural and scientific environment, as the county lies within the Texas Red Beds, part of the world's greatest Lower Permian bone bed, where fossils of early reptiles and amphibians-including the world-renowned *Seymouria*-as well as extensive prehistoric plant species continue to be discovered, and the preservation of surrounding water resources and soil deposits is essential to protecting unearthed fossils and supporting ongoing and future scientific research; and

WHEREAS, the citizens and elected officials of Baylor County acknowledge their responsibility to serve as faithful stewards of the land and responsible conservationists, recognizing that these irreplaceable ecological, paleontological, and water resources-once damaged or destroyed-cannot be restored and must be protected for future generations.

NOW, THEREFORE, BE IT RESOLVED BY THE BAYLOR COUNTY COMMISSIONERS COURT THAT:

SECTION 1. POSITION OF THE COURT

The Baylor County Commissioners Court supports responsible economic development, including appropriately designed and sited data center facilities. However, the Court formally expresses opposition to use of open-loop evaporative cooling systems or other high-volume potable water consumption technologies in large-scale, high continuous-load data center facilities within Baylor County and other water-constrained regions. The Court further opposes any data center development that fails to incorporate adequate safeguards to protect county resources and residents.

The Court further states that support for additional data center development in the State of Texas should be conditioned upon the implementation of comprehensive, enforceable safeguards to:

- Protect electric grid reliability and prevent cost burdens on residential, agricultural, and small-business ratepayers;
- Ensure responsible, sustainable, and transparent water use practices;
- Protect agricultural lands, rangelands, wildlife habitats, and natural drainage systems by requiring careful site selection, avoidance of prime farmland and ecologically sensitive areas where practicable, and appropriate mitigation of habitat fragmentation and stormwater impacts;
- Prevent degradation of county roads, drainage systems, and other public infrastructure; and
- Mitigate noise, lighting, visual, and operational impacts on nearby homes, farms, ranches, wildlife habitat, and rural night skies; and
- Safeguard community welfare, public health, and environmental quality.

SECTION 2. TRANSPARENCY AND REPORTING

The Court urges the State of Texas and relevant regulatory agencies to require full and transparent public reporting of anticipated electricity demand, water use, and infrastructure impacts for all proposed data center developments before final approval.

SECTION 3. INDEPENDENT IMPACT ANALYSIS

No future data center project should proceed without a rigorous, independent assessment of:

- Impacts on ERCOT grid reliability and transmission capacity;
- Impacts on regional water availability and drought contingency planning;
- Impacts on agricultural lands, rangelands, wildlife habitats, natural drainage patterns, and potential habitat fragmentation, including effects on prime farmland, soil integrity, and stormwater runoff;
- Long-term infrastructure costs borne by taxpayers;
- Potential noise, light pollution, visual screening, and quality-of-life impacts on nearby residents, agricultural operations, and rural communities;

- Potential public health and quality-of-life impacts on nearby residents, including effects associated with continuous noise, lighting, traffic, backup power generation, air emissions, emergency response demands, and other operational impacts, and
- Effects on surrounding residential, agricultural, and commercial land uses.

SECTION 4. RESOURCE SUSTAINABILITY STANDARDS

The Court encourages adoption of statewide planning and regulatory standards prioritizing sustainability, including:

- Integration of water-efficient or closed-loop cooling technologies;
- Utilization of reclaimed, recycled, or non-potable water resources where feasible;
- Demand response participation and load management requirements to protect grid stability.

SECTION 5. LEGISLATIVE ACTION REQUESTED

The Baylor County Commissioners Court respectfully requests that the Governor and Texas Legislature:

1. Designate this matter an interim study priority for appropriate legislative committees to evaluate grid reliability, water consumption, local authority, infrastructure impacts, and fiscal implications; and
2. Consider, if circumstances warrant timely action, inclusion of this issue on the call of a Special Session of the Texas Legislature to address urgent reliability, water supply, and local governance concerns; and
3. Examine policy options that would improve transparency regarding projected electricity demand and water usage of large-scale computing facilities; and
4. Evaluate ways to ensure coordination with local governments when large-scale industrial projects may significantly affect local infrastructure, energy services, or natural resources; and
5. Authorize counties, where appropriate, to require pre-development impact studies, public health and quality-of-life impact studies, road-use agreements, water-use disclosure, electrical usage disclosure, emergency response planning, enforceable mitigation agreements, visual screening, noise and lighting mitigation, and proportionate participation in infrastructure costs for large-scale data center facilities and related industrial developments; and
6. Consider whether counties should be granted limited authority to assess infrastructure and resource impacts associated with hyperscale industrial developments.

SECTION 6. DISTRIBUTION

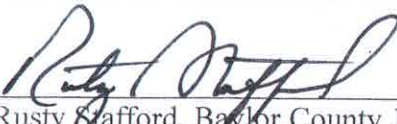
Copies of this Resolution shall be transmitted to

- Greg Abbott, Governor of Texas;

- Dan Patrick, Lieutenant Governor of Texas;
- Charles Perry, Texas State Senator;
- James Frank, Texas State Representative;
- The Public Utility Commission of Texas;
- The Texas Commission on Environmental Quality;
- The Electric Reliability Council of Texas;
- The Texas Water Development Board; and
- Appropriate regional and local governmental bodies.

SECTION 7. EFFECTIVE DATE

Said Resolution was moved and approved on this the 20th day of July, 2026.


 Rusty Stafford, Baylor County Judge

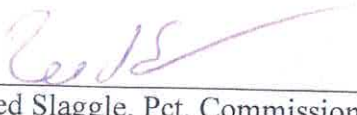
Voted: _____ yes, _____ no, ☒ abstained


 Rick Gillispie, Pct. Commissioner 1

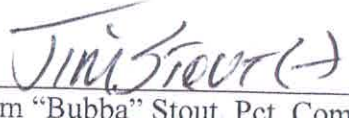
Voted: ☒ yes, _____ no, _____ abstained


 Tommy Holub, Pct. Commissioner 2

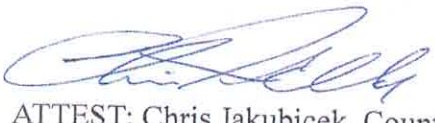
Voted: ☒ yes, _____ no, _____ abstained


 Reed Slaggle, Pct. Commissioner 3

Voted: _____ yes, _____ no, _____ abstained


 Jim "Bubba" Stout, Pct. Commissioner 4

Voted: ☒ yes, _____ no, _____ abstained


 ATTEST: Chris Jakubicek, County Clerk